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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,853	09/12/2003	Joseph W. Cole	COLEI.0012P	8537
32856	7590	07/17/2006	EXAMINER	
WEIDE & MILLER, LTD. 7251 W. LAKE MEAD BLVD. SUITE 530 LAS VEGAS, NV 89128			SPRIGG, SEAN M	
			ART UNIT	PAPER NUMBER
			3712	

DATE MAILED: 07/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/661,853	<b>Applicant(s)</b> COLE, JOSEPH W.	
	<b>Examiner</b> Sean Sprigg	<b>Art Unit</b> 3712	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 October 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 26-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 26-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 27 and 32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Both claims 27 and 32 introduce the limitation of "a base portion", however "a base portion" limitation has already been introduced in claims 26 and 30. As a result, it is unclear as to whether the base portion limitation of claims 27 and 32 are merely referring to the previously introduced base portion limitation of claims 26 and 30 respectively, or if the base portion limitation of claims 27 and 32 are new structural limitations. As best understood, it appears that the base portion limitation of claims 27 and 32 are actually referring to a base portion of a controller platform and not the base portion of the cabinet. For the purposes of this examination the claims will be interpreted as best understood.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 26 is rejected under 35 U.S.C. 102(b) as being anticipated by Weiss'006 (USPN 6,623,006).

**Claim 26:** Weiss'006 discloses a cabinet for a gaming machine providing interior space for components of a gaming machine and having a base portion (proximate lead line 18) below a play area comprising controls for playing the game (proximate lead lines 12 and 14-16) and which is also below a console portion containing a display unit (proximate lead lines 50 and 20, note that Fig. 1 depicts the parts of the cabinet in an exploded view and the parts are actually all in place as part of one cabinet unit). As illustrated in Fig. 1, the play area is extended forward beyond the base portion and that the console portion extends upwardly from the play area with the front face that slopes rearwardly towards the rear surface of the cabinet. The front face of the console area has an access opening to the interior space of the cabinet behind a bezel with a display opening and a display screen that can be seen through the display opening (proximate lead lines 50, 52, 20, 6 and 8). The display is mounted to the cabinet to allow for movement of the display between a position that closes the access opening and a position that opens the access opening (cols. 3-4). Similarly, the bezel is mounted to cabinet on the front face of the console portion to allow movement between a closed position that prevents movement of the display and an open position in which the bezel is rotated away from the front face of the console portion and allows the display to rotate to provide access to the cabinet (cols. 3-4 and Fig. 1).

***Claim Rejections - 35 USC § 103***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
6. Claims 30 and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiss'006.

**Claim 30:** Weiss'006 discloses all the features of the invention as described above in regards to claim 26. Additionally, Weiss'006 discloses that the movement of the display and the bezel is provided by a number of first pins on opposing sides of the display and the bezel that act as an axle and engage corresponding mounts on either side of the access opening. Weiss'006 also discloses a separate pin on the display that engages a separate, corresponding mount for stopping the display from being rotatable into the interior space when the display is in a closed position. The separate pin also allows the display to rotate freely with the first pins between an open and closed position. However, Weiss'006 does not expressly disclose a second pair of pins corresponding with a second pair of mounts on opposing sides of the display and the opening respectively, for providing the same function as the separate pin of Weiss'006.

At the time the invention was made, it would have been an obvious matter of design choice to a person of ordinary skill in the art to have a second pair of pins on opposing sides of the display that correspond with a second pair of mounts on opposing sides of the opening because Applicant has not disclosed that using two pins and placing the pins and mounts in such a configuration

provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with either the one separate pin and mount of Weiss'006 or the two pins and mounts because both structures perform the same function of preventing the display from rotating inwardly and maintaining the position of the display when the access is closed.

Therefore, it would have been an obvious matter of design choice to modify Weiss'006 with two pins on opposite sides of the display and two mounts on opposite sides of the opening to obtain the invention as specified in claim 30.

**Claim 33:** Weiss'006 discloses a stop of the wall at lead line 6 that limits the forward rotation of the display to a second position.

**Claim 34:** Weiss'006 discloses a plurality of player input buttons (lead line 16) mounted on the play area in front of the display and bezel. Weiss'006 appears to disclose that there is no glass or other material provided that would prohibit a person from placing a hand through the bezel display openings as there is no mention of such a barrier, Weiss'006 only mentions a window, Fig. 3 displays the reel objects going through some of the windows, and a touch screen display, as is known to be a common feature of gaming machines would likely require there to be no barrier provided in the window of the bezel. In light of the opening, Weiss'006 discloses the buttons are accessible through the display opening in the bezel when the bezel is rotated to the open position as the buttons are not covered when the bezel is in the open position.

7. Claims 27, 29 and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiss'006 in view of LaFleur'326 (USPN 6,298,326).

**Claim 27, 31, 32:** Weiss'006 discloses all the features of the claimed invention, including the interior space being available for any number of peripherals associated with the gaming machine including game controllers as is known to be a gaming machine peripheral (col. 2), except for disclosing a controller platform in the interior space with a gaming controller mounted to the platform and the platform mounted to move between a position where the platform is horizontal and a second position where the platform is tilted towards the access opening.

LaFleur'326 teaches a cabinet for multimedia and electronic equipment that provides easy access and reconfiguration of multimedia components in the cabinet through the movement and rotation of shelves (Abstract, cols. 1-7). LaFleur'326 discloses a platform within the interior space of the cabinet for mounting a controller for a display (the rear portion of lead line 80 as clearly shown in Fig. 25 on which a controller (cols. 4 and 7) sits in as suggest in a stowed position of Fig. 44), wherein the platforms are rotatable between a first position of the platform being horizontal (Fig. 44 and note portion of lead line 80 providing platform horizontal to ground) and a second position where the platform is tilted towards the access opening as seen in Fig. 43 (note platform of rear of lead line 80, with mounted controller not shown, being rotated toward opening proximate lead line A). LaFleur'326 appears to teach these features for the

purpose of providing easy access to components within the cabinet while maximizing utilization of space within the cabinet when the access opening is closed.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Weiss'006 with the platform holding a controller that is rotatable as taught by LaFleur'326 for the purpose of providing easy access to components within the cabinet while maximizing utilization of space within the cabinet when the access opening is closed.

**Claim 29:** Weiss'006 teaches all the features of the claimed invention, including a rotatable bezel and making input buttons accessible through the bezel display opening as demonstrated with regard to claim 34, except for disclosing that the input buttons are aligned with the display opening when the bezel is in the open position.

LaFleur'326 implicitly teaches that cabinets that are slant topped have bezels that are better rotated along a horizontal axis instead of a relatively vertical, but slanted axis for the well-known purpose of preventing the rotated surface from undesirably rotating due to gravitational pull. For example, a door that is built along an axis that is perpendicular to a floor that is not level ("a relatively, but slanted axis") shuts or opens by gravitational force. LaFleur'326 appears to address this problem by changing the axis that is used to rotatably mount the bezels and shelves.



It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Weiss'006 with the bezel and display rotating along a horizontal axis as implicitly taught by LaFleur'326 for the purpose of preventing the bezel or surface from undesirably rotating due to gravitational pull. As a result of this modification to Weiss'006, it is apparent that display opening in the bezel when in the open position would be aligned with the inputs buttons.

8. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weiss'006 in view of McKay'914 (USPN 5,813,914).

**Claim 28:** Weiss'006 discloses all the features of the claimed invention including the rotation of a bezel on the front face of a cabinet to access interior components of a gaming machine, except for disclosing a top and bottom portion of a bezel of which only a top portion of the bezel moves to open and close the bezel.

McKay'914 teaches a gaming machine cabinet for a slant top cabinet wherein the bezel of the cabinet is separated into a top portion and a bottom portion among other portions of the cabinet (Figs. 3-6 and cols. 4-7). McKay'914 teaches that each portion of the bezel can be rotated independently so as to allow access to only certain interior components at a given time without requiring all the components to be exposed (Figs. 3-6 and cols. 1 and 4-7).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Weiss'006 to provide a separation of the

bezel into top and bottom portions and allow the top portion to rotate as disclosed above as suggested and taught by McKay'914 for the purposes of allowing the operator to perform maintenance on certain features at a given time without requiring all the features to be exposed, such as when an operator needs to only access the interior space above the reel structure located near the top of the bezel structure in Weiss'006.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rothschild'492 (USPN 5,431,492).
10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

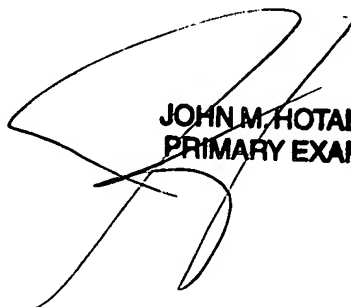
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Sprigg whose telephone number is (571) 272-5562. The examiner can normally be reached on Monday - Friday, 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John M. Hotaling II can be reached on (571) 272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SMS  
6/30/2006

  
**JOHN M. HOTALING, II**  
**PRIMARY EXAMINER**